

# **Notice of Allowability**

Application No.

10/765,110

Examiner

Johnnie L. Smith II

Applicant(s)

GONZALEZ, ENCARNACION H.

Art Unit

2881

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 01/28/2004.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 0128
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Jack Berman*  
**JACK BERMAN**  
PRIMARY EXAMINER

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-18 are allowed.
2. The following is an examiner's statement of reasons for allowance: the prior art searched and cited failed to teach or fairly suggest a power system for an electrically powered land vehicle, comprising: a gas ionization and energy production section including a plurality of abutting tubular members defining an airflow path having an input end and an output end, each of the tubular members having: a rigid plate section; a variable positive voltage grid for collecting charged particles; and at least one sensor; means for drawing air into the input end of the airflow path; means for distributing the charged particles to the land vehicle's battery and propulsion system; and means for regulating a potential of the variable positive voltage grid in combination with the remaining elements of claim 1.
3. The prior art searched and cited failed to teach or fairly suggest a power system for an electrically powered land vehicle, the land vehicle having at least one ground-engaging wheel, comprising: a gas ionization and energy production section including a plurality of abutting tubular members defining an airflow path having an input end and an output end, each of the tubular members having: a rigid plate section; a variable positive voltage grid for collecting charged particles; and

at least one sensor; means for drawing air into the input end of the airflow path in order to establish an airflow through the gas ionization and energy production section; means for regulating a potential of the variable positive voltage grid; a combination amplifier and controller; a battery; a drive motor; wherein said combination amplifier and controller distributes the charged particles to the battery and the drive motor in combination with the remaining elements of claim 10. All remaining claims are allowable because of their dependencies.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

All of the references cited on attached PTO 892 contain art similar to that being claimed by applicant.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnnie L. Smith II whose telephone number is

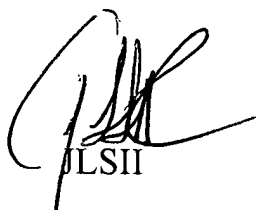
Application/Control Number:  
10/765,110  
Art Unit: 2881

Page 4


571-272-2481. The examiner can normally be reached on Monday-Thursday 6-4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on 571.272.2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Johnnie L. Smith II



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Art Unit 2881